IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 581 OF 2006
IN
WRIT PETITION NO. 1753 OF 2006

The New India Coop. Hsg. Sty. Ltd.] .. Appellant (Ori.Petitioner)

Versus

1. Mumbai Corpn.of Gr.Bombay & Anr.] .. Respondents (Ori.Respondents)

Mr. Shekhar Shetye with Mr. V.B. Amin i/b M/s. B. Amin & Co. for the appellant.

Mr. Vinod Mahadik for respondent No.1

Mr. S.U. Kamdar with Mr. K.J. Hakani for respondent No.2.

CORAM: R.M. LODHA &
S.R. SATHE, JJ.

DATED: 01ST SEPTEMBER, 2006

P.C. :

. We heard Mr. Shekhar Shetye, the counsel for appellant-Society.

2. The consideration of the matter by the learned single Judge regarding withdrawal of the Notice under Section 354A of the Bombay Municipal Corporation Act cannot be said to suffer from any legal infirmity.

3. We are informed that dispute between

petitioner and respondent No.2 is already going on in appropriate forum. Obviously, the rights of the parties shall be decided in that dispute.

4. Appeal is dismissed in limine.

Sd/-
[R.M. LODHA, J.]

Sd/-
[S.R. SATHE, J.]